

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application No.	09/288,475
		Filing Date	April 8, 1999
		First Named Inventor	Joel Zdepski
		Art Unit	2143
		Examiner Name	William C. Vaughn, Jr.
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ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) Remarks	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">-Comments on Statement of Reasons for Allowance -Issue Fee Transmittal + copy -Request for Withdrawal as</div>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
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Date	10-8-04

CERTIFICATE OF MAILING/TRANSMISSION			
Typed or printed name	Carrie Boccaccini	Date	October 8, 2004
Signature			

Application No.: 09/288,475

Applicant: Joel Zdepski

Filed: April 8, 1999

TC/A.U.: 2143

Examiner: William C. Vaughn Jr.

Docket No.: 5214P018

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Sir:

In the Examiner's statement of reasons for allowance, it is stated the Applicant's invention shows novelty over the cited prior art, Noguchi et al., U.S. Patent No. 6,163,345 in view of Cleron et al., U.S. Patent No. 6,223,213, by the combination of all the features of the independent claims with the features recited in dependent claim 27.

Cleron et al. (hereinafter "Cleron"), was specifically cited against the following original limitation of claim 20 as added in the response filed December 17, 2002 to the Office Action of September 17, 2002. Specifically, the limitation alleged to be disclosed by Cleron reads as follows:

...in response to determining said message does correspond to said predetermined type:
 formatting and presenting said message according to a first format, wherein said first format includes a min message and at least one selectable option, said option being received in said received email message;
 presenting information related to the option in response to detecting said option is selected; and


determining whether a reply message identifying the selected option is to be transmitted.

However, as verified by the Examiner, the Cleron reference is not a valid reference against the present application. Specifically, the present application claimed a priority date of April 8, 1998 based on two U.S. Provisional Patent Applications nos. 06/081,095 and 06/081,046, as indicated in the section titled "Related Applications." The earliest date as of which the Cleron reference qualifies as a reference under 35 USC 102 is its US filing date of July 31, 1998. Accordingly, Applicant wishes to place on record the lack of validity of the Cleron reference as prior art against the present and any continuing applications, and that the amendments entered in the present application are not necessary to distinguish the claims of the present application over the Cleron reference.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 10-08-04, 2004



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